

EXHIBIT 8.Z

UNITED STATES DISTRICT COURT

DISTRICT OF DELAWARE

Civil Action No.

04-1373-KAJ

AMPEX CORPORATION,

Plaintiff,

v.

EASTMAN KODAK COMPANY, ALTEK

CORPORATION and CHINON

INDUSTRIES, INC.,

ORIGINAL

Defendants.

VIDEOTAPED DEPOSITION OF DIETER

W. PREUSS, PhD, a witness called on behalf of
the Plaintiff, taken pursuant to the Federal
Rules of Civil Procedure, before Maureen
O'Connor Pollard, RPR, CLR, and Notary Public
within and for the Commonwealth of
Massachusetts, at the offices of Ropes & Gray,
LLP, One International Place, Boston,
Massachusetts, on the 5th of May, 2006,
commencing at 9:29 o'clock a.m.



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DIETER W. PREUSS, Ph.D. May 5, 2006

09:59:37 1 A. For the Scitex 300 system the same
09:59:41 2 would apply what I just said for the Chromacom
09:59:43 3 system, anticipated and also obvious.

09:59:50 4 Q. Do you express your opinion that the
09:59:52 5 Scitex Response-300 system renders obvious the
09:59:56 6 asserted claims of the '121 patent under Ampex's
09:59:59 7 interpretation of the claim language anywhere in
10:00:02 8 your expert report?

10:00:03 9 MR. HIRSCH: Objection.

10:00:04 10 A. I didn't express it, no.

10:00:07 11 BY MR. SCHOENHARD:

10:00:09 12 Q. Please direct your attention to
10:00:10 13 paragraph 28 of your expert report on page six.
10:00:17 14 Do you see that paragraph?

10:00:27 15 A. 28.

10:00:27 16 MR. HIRSCH: Page six, paragraph 28.

10:00:30 17 THE WITNESS: I know.

10:00:35 18 Yes.

10:00:36 19 BY MR. SCHOENHARD:

10:00:43 20 Q. Please also direct your attention to
10:00:44 21 paragraph 100 on page 34 of your expert report.

10:01:01 22 A. Yes.

10:01:01 23 Q. Do you have any opinions with respect
10:01:05 24 to the obviousness of the asserted claims of the

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10:01:08 1 '121 patent in light of the Hell Chromacom
10:01:11 2 system in combination with the Quantel Paintbox
10:01:14 3 beyond what you state in paragraphs 28 and 100
10:01:17 4 of your expert report?

10:01:19 5 MR. HIRSCH: Objection.

10:01:41 6 A. No, I have no additional opinion on
10:01:56 7 that.

10:01:56 8 BY MR. SCHOENHARD:

10:02:09 9 Q. Returning your attention to paragraph
10:02:11 10 28 on page six of your expert report, do you see
10:02:18 11 the clause that reads "to the extent that a
10:02:21 12 claim construction is asserted or adopted under
10:02:24 13 which either of the Chromacom or Response-300 do
10:02:27 14 not meet each element of the asserted claims"?

10:02:30 15 A. Yes.

10:02:33 16 Q. Have you identified any particular
10:02:35 17 alternative claim construction under which a
10:02:41 18 combination of the Chromacom and the Quantel
10:02:44 19 Paintbox would render any of the asserted claims
10:02:47 20 of the '121 patent obvious?

10:02:50 21 MR. HIRSCH: Objection. Vague.

10:02:53 22 A. No, I have not identified such a
10:02:58 23 theoretical claim construction.

10:03:00 24 BY MR. SCHOENHARD:

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10:03:01 1 Q. Have you identified any particular
10:03:03 2 features of the Quantel Paintbox that would be
10:03:06 3 combined with the Hell Chromacom system to
10:03:07 4 render any of the asserted claims of the '121
10:03:10 5 patent obvious?

10:03:13 6 MR. HIRSCH: Objection.

10:03:14 7 A. In this opinion I express that under
10:03:22 8 the -- or provided that a certain not yet really
10:03:29 9 known claim construction combination is adopted,
10:03:32 10 I understand the judge does this at some time
10:03:35 11 later, and since I don't know that not yet
10:03:39 12 which, under this provision, so I really cannot
10:03:44 13 identify exactly which features would render,
10:03:52 14 when they are combined in both systems, would
10:03:55 15 render the claims obvious.

10:03:56 16 BY MR. SCHOENHARD:

10:03:57 17 Q. Have you identified any motivation to
10:04:00 18 combine any particular feature of the Quantel
10:04:02 19 Paintbox with the Hell Chromacom system?

10:04:05 20 MR. HIRSCH: Objection. Vague.

10:04:06 21 A. Could you repeat the question, please?

10:04:13 22 BY MR. SCHOENHARD:

10:04:14 23 Q. Have you identified any motivation to
10:04:16 24 combine any particular feature of the Quantel

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10:04:18 1 Paintbox with the Hell Chromacom system?

10:04:21 2 A. Not any particular, no.

10:04:34 3 Q. What do you mean by the Quantel

10:04:39 4 Digital Library System?

10:04:43 5 MR. HIRSCH: Objection. Vague.

10:04:46 6 A. I understand that is an even older

10:04:50 7 system of Quantel, I mean older than the

10:04:53 8 Paintbox, which also contains a still store, and

10:04:58 9 does a lot of image handling functions related

10:05:02 10 to the TV broadcasting application.

10:05:06 11 BY MR. SCHOENHARD:

10:05:07 12 Q. When you refer to the Quantel Digital

10:05:10 13 Library System, is there a particular model of

10:05:12 14 that system to which you are referring?

10:05:15 15 MR. HIRSCH: Objection.

10:05:17 16 A. No, I don't refer to any particular

10:05:19 17 model.

10:05:20 18 BY MR. SCHOENHARD:

10:05:25 19 Q. Do you have any opinions with respect

10:05:26 20 to the obviousness of the asserted claims of the

10:05:29 21 '121 patent in light of the Hell Chromacom

10:05:32 22 system in combination with the Quantel Digital

10:05:36 23 Library System beyond what you state in

10:05:37 24 paragraphs 28 and 100 of your expert report?

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10:05:43 1 A. No, I don't have any opinion beyond
10:05:56 2 that.

10:05:56 3 Q. Have you identified any particular
10:06:00 4 alternative claim construction under which such
10:06:03 5 a combination would render any of the asserted
10:06:05 6 claims of the '121 patent obvious?

10:06:07 7 MR. HIRSCH: Objection.

10:06:08 8 A. No, I also have not identified any
10:06:13 9 particular claim construction.

10:06:15 10 BY MR. SCHOENHARD:

10:06:16 11 Q. Have you identified any particular
10:06:17 12 features of the Quantel Digital Library System
10:06:21 13 that would be combined with the Hell
10:06:23 14 Chromacom --

10:06:24 15 MR. HIRSCH: Objection.

10:06:25 16 BY MR. SCHOENHARD:

10:06:25 17 Q. -- Hell Chromacom system to render any
10:06:28 18 of the asserted claims of the '121 patent
10:06:30 19 obvious?

10:06:31 20 MR. HIRSCH: Objection.

10:06:32 21 A. Also no particular feature I have
10:06:35 22 identified.

10:06:36 23 BY MR. SCHOENHARD:

10:06:36 24 Q. Have you identified any motivation to

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10:06:38 1 combine any particular feature of the Quantel
10:06:41 2 Digital Library System with the Hell Chromacom
10:06:43 3 system?

10:06:44 4 MR. HIRSCH: Objection.

10:06:44 5 A. Any motivation to combine. Yes, these
10:07:00 6 systems, like the Quantel systems, all of the
10:07:04 7 Quantel systems, were in -- with regard to the
10:07:11 8 technology, they were about very similar to the
10:07:15 9 pre-press systems, and therefore it would have
10:07:18 10 been obvious to look at these to find features
10:07:20 11 in there which could be combined in order to
10:07:26 12 make or to render the claims obvious. That is
10:07:32 13 the motivation, I think. Technically they are
10:07:36 14 rather similar.

10:07:37 15 BY MR. SCHOENHARD:

10:07:37 16 Q. Is there any particular feature of the
10:07:39 17 Quantel Digital Library System for which you
10:07:42 18 have identified any motivation to combine that
10:07:45 19 system with the Hell Chromacom system?

10:07:47 20 MR. HIRSCH: Objection.

10:07:47 21 A. No particular feature, no.

10:07:56 22 BY MR. SCHOENHARD:

10:07:58 23 Q. Do you have any opinions with respect
10:08:00 24 to the obviousness of the asserted claims of the

EXHIBIT 8.AA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

----- x
AMPEX CORPORATION,

Plaintiff,

v.

Civil Action

EASTMAN KODAK COMPANY, ALTEK

No. 04-1373-KAJ

CORPORATION and CHINON

INDUSTRIES, INC.,

Defendants.
----- x

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VIDEOTAPED DEPOSITION of RICHARD J. TAYLOR

April 28, 2006

9:38 a.m.

Ropes & Gray LLP

One International Place

Boston, Massachusetts

Reporter: Michael D. O'Connor, RPR



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10:09:07 1 A. Yes, this was referring to the 6000.

10:09:16 2 Q. In section Roman numeral IV of your report,
10:09:26 3 Pages 9 through 12, it's the heading "Summary of
10:09:29 4 Opinions." Is this a complete summary of your
10:09:39 5 opinions --

10:09:39 6 MR. SUMMERSGILL: Objection.

10:09:40 7 Q. -- that you currently hold?

10:09:42 8 MR. SUMMERSGILL: Objection to the phrase
10:09:43 9 "complete summary," but you can answer.

10:09:54 10 A. The trouble is, I don't understand the
10:09:55 11 question, because how -- can you define what you
10:10:02 12 mean by a complete summary?

10:10:06 13 Q. For example, in your ITC opinions you dealt
10:10:11 14 with additional pieces of prior art, such as ADO,
10:10:18 15 and ADDA, A-D-D-A. You're no longer intending to
10:10:23 16 testify as to such other prior art; is that correct?

10:10:51 17 A. This expert report is the basis of my
10:10:59 18 opinion and testify for this case in Delaware.

10:11:10 19 Q. On Page 10, top of the page, part of
10:11:14 20 Paragraph 38, you say that you observed -- well, you
10:11:17 21 say you also "reinspected the Quantel Paint Box
10:11:21 22 system located in the lab at Quantel." Do you mean
10:11:27 23 to say that you reinspected it subsequent to your
10:11:32 24 testimony in the ITC case?

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01:49:08 1 A. Not that I recall, no.

01:49:28 2 Q. In Paragraph 77 you discuss that

01:49:36 3 reduced-size image stored in random access memory,

01:49:39 4 this is in the context of the Paint Box, and the

01:49:41 5 third sentence says, "When the Paint Box operator

01:49:44 6 used the cut and paste feature to generate a

01:49:49 7 reduced-size image, the reduced size image was

01:49:50 8 generated and transferred from the size reducer to a

01:49:53 9 frame store." Is it correct that in order to reduce

01:49:57 10 the size of an image, that image has to first be

01:50:00 11 stored on disk in the Paint Box?

01:50:40 12 A. Yeah, the size reducer worked at disk

01:50:43 13 speed.

01:50:49 14 Q. So am I correct in saying that in order to

01:50:51 15 reduce the size of a picture, that picture had to

01:50:54 16 first be stored on disk; that's the way the Paint

01:51:00 17 Box worked?

01:51:00 18 A. It would come from the disk, yes.

01:51:05 19 Q. On Paragraph 91 on Page 30, you discuss

01:51:10 20 your obviousness opinion, and state in the second

01:51:19 21 sentence, "There was an explicit motivation to

01:51:22 22 combine the DLS 6030 with the Paint Box."

01:51:29 23 What is the result of the combination that

01:51:31 24 you're basing your opinion on?

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01:51:38 1 MR. SUMMERSGILL: Objection.

01:51:39 2 Q. I.e., what is the combination that you're
01:51:41 3 referring to?

01:51:43 4 MR. SUMMERSGILL: Objection.

01:51:53 5 A. I'm not sure I understand your question.
01:51:56 6 Are you saying was the combination Paint Box and
01:52:01 7 DLS?

01:52:01 8 Q. What specific combination are you referring
01:52:04 9 to here?

01:52:04 10 A. The Paint Box working with the DLS.

01:52:07 11 Q. Could you describe how that would work, how
01:52:11 12 they would be connected up or configured?

01:52:20 13 A. This was the straightforward video way
01:52:22 14 where the video output of the Paint Box would go
01:52:25 15 into the video input of the DLS, which, in turn,
01:52:28 16 increased the number of frame stores available.

01:52:35 17 Q. So that's the specific combination you're
01:52:37 18 talking about here; is that right?

01:52:56 19 A. Yes.

01:52:58 20 Q. Then further into that, toward the end of
01:53:03 21 the paragraph, the last sentence of Paragraph 91,
01:53:08 22 you say, "To the extent a claimed construction is
01:53:12 23 adopted under which the Paint Box does not meet all
01:53:13 24 of the elements of the asserted claims, it is my

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01:53:14 1 opinion that a combination of the Paint Box with the
01:53:18 2 DLS 6030, would render the asserted claims obvious."

01:53:24 3 What claim construction are you referring
01:53:26 4 to here? Is there a specific alternative claim
01:53:33 5 construction you have in mind?

01:54:22 6 A. I think it's a construction talking about
01:54:29 7 numbers of frame stores.

01:54:35 8 Q. So what claim element would be met by this
01:54:43 9 combination that you're positing here?

01:54:48 10 MR. SUMMERSGILL: Objection.

01:55:00 11 A. I'm saying, in general terms, you have the
01:55:08 12 6000 that could browse images. You had the Paint
01:55:25 13 Box that could store reduced-size images using only
01:55:46 14 the space on the disk on that reduced-size image.

01:55:55 15 So the two working together would appear to
01:56:00 16 me to, in general, if it was the side that either
01:56:12 17 one didn't meet, the two of them together must be
01:56:16 18 considered.

01:56:18 19 Q. And so could you give me an example of a
01:56:22 20 particular use of both together that would be
01:56:27 21 pertinent to your analysis?

01:57:10 22 A. Well, let's take, for example, supposing it
01:57:13 23 was decided that you had to display the outputs, you
01:57:29 24 could have a reduced-size image come from Paint Box

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01:57:34 1 into the DLS and you would have a full-sized image
01:57:43 2 placed in the output, one output store of the 6030,
01:57:47 3 and a Paint Box reduced-size image placed in the
01:57:52 4 other store.

01:57:53 5 Q. How would you get the reduced-size image
01:57:58 6 from the Paint Box into one of the output stores of
01:58:00 7 the DLS?

01:58:14 8 A. That would be a video connection. Yeah,
01:58:26 9 done by video connection.

01:58:28 10 Q. Wouldn't it have to go to the disk of the
01:58:31 11 DLS first and then be called up to the output store?

01:58:37 12 A. Yes, it would.

01:58:39 13 Q. So how would that be any different from
01:58:41 14 just calling up an image that's already stored on
01:58:45 15 disk just with the DLS alone?

01:59:03 16 A. In that example, it wouldn't. I agree.

01:59:07 17 Q. Were there any other examples that would
01:59:09 18 make a difference between the combination and either
01:59:12 19 one alone?

01:59:18 20 MR. SUMMERSGILL: Objection.

01:59:30 21 A. Well, for example, I've already talked
01:59:36 22 about the auto numbering, a combination of the auto
01:59:52 23 numbering, and if, for example, someone was to
01:59:57 24 decide that the Paint Box as a hypothetical didn't

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02:00:01 1 have the auto numbering we've talked about,
02:00:08 2 certainly the still store did.

02:00:12 3 So if you combine the capabilities of Paint
02:00:17 4 Box in terms of storing its reduced-size images,
02:00:29 5 browsing reduced-size images, and the still stores
02:00:33 6 auto numbering, you have a very powerful combination.
02:00:38 7 there.

02:00:43 8 Q. So now you're talking about actually
02:00:46 9 modifying the Paint Box to have auto numbering;
02:00:48 10 you're not just connecting the two devices together?

02:00:51 11 A. Maybe I'm confused on the law here.

02:00:54 12 MR. SUMMERSGILL: Objection. You can
02:00:55 13 answer.

02:00:59 14 A. Maybe I'm confused on the law, but
02:01:01 15 certainly if you got two machines that are designed
02:01:04 16 to work together, and in my example with auto
02:01:15 17 numbering, you're the lawyer, not me, but I didn't
02:01:18 18 think the law required you to actually say did that
02:01:22 19 auto numbering move across to Paint Box. A
02:01:26 20 combination of the two makes it obvious you can use
02:01:28 21 that auto numbering in Paint Box.

02:01:30 22 Q. That's what I'm trying to find out.

02:01:32 23 A. I thought your question was did we, and I'm
02:01:36 24 saying, as I understand it, you would simply have to

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02:01:39 1 have the motivation, but you could see those two
02:01:44 2 ideas side by side in two machines designed to work
02:01:49 3 together, therefore it's obvious you could use that
02:01:52 4 technique in that machine.

02:01:52 5 Q. I understand what you're saying. I just
02:01:54 6 wanted to make sure I understood what your position
02:01:57 7 was. Any other combinations or using one idea in --

02:02:07 8 A. I'm sure there are. I'm sure I can't think
02:02:20 9 of them sitting here at the moment, but I'm sure
02:02:23 10 there are combinations.

02:02:23 11 Q. In Paragraph 92 you make a similar
02:02:26 12 statement of opinion with respect to the combination
02:02:27 13 of the Paint Box with either the Hell Chromacom or
02:02:33 14 the Scitex response 300. Again, what specific
02:02:39 15 combination or combinations are you relying on?

02:02:54 16 MR. SUMMERGILL: Objection.

02:02:55 17 A. Well, for example, I think I'm writing
02:03:04 18 saying it's no dispute that a reduced-size image on
02:03:13 19 a Chromacom occupies only the space in the memory of
02:03:18 20 that image itself.

02:03:24 21 So again, if, for example, it was decided
02:03:26 22 hypothetically that Paint Box didn't have that or
02:03:31 23 that the still store didn't have that, those two
02:03:35 24 minutes, which were in very similar fields, that

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02:03:41 1 combination would render it obvious that you could
02:03:46 2 store an image in, say, the still store, using only
02:03:53 3 the amount of oxide that the picture took up.

02:04:00 4 Q. What do you base your knowledge of the Hell
02:04:04 5 Chromacom or the Scitex Response 300 on?

02:04:11 6 A. I don't purport to be an expert in those,
02:04:15 7 but I do have some knowledge because of Quantel's
02:04:18 8 involvement in the graphic arts business a few years
02:04:21 9 ago.

02:04:22 10 Q. Could you elaborate on how you learned
02:04:24 11 about these devices?

02:04:27 12 A. We used to make a machine called the
02:04:35 13 Graphic Paint Box that was in a similar field. It
02:04:40 14 wasn't necessarily competitive, because one is
02:04:42 15 designed to be used by an operator. The other was
02:04:46 16 designed to be used by an artist, but they were in
02:04:49 17 very similar fields. Therefore, I got to know about
02:04:57 18 that side of the industry.

02:05:01 19 Q. Did you learn about the circuitry of these
02:05:06 20 devices?

02:05:12 21 A. Only because we used to have to interface
02:05:19 22 to them.

02:05:22 23 Q. So were you given access to schematics or
02:05:26 24 software or any other internal documentation

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02:05:30 1 concerning these devices?

02:05:31 2 A. No.

02:05:36 3 Q. In an earlier question, you said you

02:05:38 4 thought there was no dispute over whether one of

02:05:43 5 these devices could store only the reduced-size

02:05:50 6 image, you mentioned oxide. What do you base that

02:05:54 7 on?

02:05:58 8 A. Of course, the best of my knowledge, from

02:06:01 9 what I learned at the time, that's how they worked.

02:06:05 10 They treated the picture like a computer treats

02:06:09 11 pictures.

02:06:13 12 Q. How were the reduced-size images generated

02:06:18 13 in the Chromacom and the Scitex?

02:06:24 14 A. They came from -- often came from a drum

02:06:28 15 scanner. That was the typical way it was done.

02:06:31 16 Q. So the drum scanner would generate the

02:06:35 17 reduced-size image?

02:06:36 18 MR. SUMMERSGILL: I'm just going to object,

02:06:39 19 because he's not purporting to be an expert on

02:06:42 20 either the Chromacom or Scitex. He said he's got

02:06:48 21 some knowledge, but he specifically says in his

02:06:50 22 report he's relying on price.

02:06:52 23 You can answer these questions to the

02:06:54 24 extent you know.

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02:06:56 1 A. I'm getting into areas here that is not my
02:07:12 2 expertise, but those systems had several ways of
02:07:17 3 getting reduced-size images.

02:07:20 4 Q. Well, for purposes of this lawsuit, are you
02:07:23 5 relying solely on Dr. Preuss' report in connection
02:07:28 6 with this paragraph or are you adding your knowledge
02:07:30 7 own as well?

02:07:45 8 A. No. For purposes of this lawsuit, I'd have
02:07:48 9 to rely on Dr. Preuss. He's the expert.

02:08:00 10 Q. You mentioned the capability, as you
02:08:04 11 understand it, to store reduced-size images of these
02:08:08 12 devices. Is there any other combination that you're
02:08:14 13 relying on for your obviousness opinion?

02:08:32 14 A. Not that I can recall at the moment, no.

02:08:46 15 Q. Now, starting at Page 33 of your report,
02:08:54 16 you talk about AVA, and I have a question about
02:08:59 17 Paragraph 109 on Page 36. You say "The random
02:09:10 18 access memory associated with the AVA computer also
02:09:13 19 stored video data. Data was stored in the random
02:09:17 20 access memory associated with the AVA computer
02:09:19 21 before and after it was processed by the CPU." At
02:09:27 22 the end of that paragraph you cite to a rather thick
02:09:33 23 manual, which I will ask the reporter to mark at
02:09:35 24 this point. This is EKC 005021058 through 21414.

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03:04:39 1 that. It refers to a conventional DMA type of block
03:04:49 2 access, and goes on to describe that. Do you see
03:04:53 3 that?

03:04:53 4 A. Column 3, Line 24 did you say?

03:04:56 5 Q. Column 3, Line 24. Does DMA refer to
03:05:16 6 direct memory access?

03:05:17 7 A. Yes, it does.

03:05:22 8 Q. Do you agree that as of 1980, when the
03:05:29 9 original application was filed, that DMA was a
03:05:35 10 well-known conventional technique?

03:05:57 11 A. I can't remember when DMA first became
03:06:01 12 common. It would have been around about that time,
03:06:03 13 but I can't remember the exact time.

03:06:11 14 Q. In Paragraph 135 on Page 44, you are
03:06:25 15 talking about a limitation regarding storing
03:06:29 16 full-size and reduced-size images in random access
03:06:35 17 memory simultaneously," and you say "Even if Ampex
03:06:39 18 were correct that the AVA did not meet this
03:06:40 19 limitation, electronic still stores with greater
03:06:42 20 memory capacity met this limitation and it would
03:06:45 21 have been obvious to combine the AVA with such
03:06:48 22 electronic still store systems."

03:06:52 23 The same question as similar to what I've
03:06:54 24 asked before, what is the combination that you're

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03:06:56 1 actually referring to here?

03:07:04 2 MR. SUMMERSGILL: Objection.

03:07:22 3 A. Well, again, as I understand the law, if
03:07:29 4 you have a system with multiple frame stores, and
03:07:32 5 you have a system with a single frame store, it
03:07:39 6 would be an obviousness argument to say you could
03:07:46 7 have multiple frame stores in the single frame store
03:07:56 8 system, and indeed, AVA itself went on to describe
03:08:07 9 expanded frame stores.

03:08:07 10 So the combination I'm talking about there
03:08:13 11 is if you're adding frame store blocks -- sorry,
03:08:17 12 adding -- using the knowledge that a still store
03:08:20 13 system had multiple frame stores with the knowledge
03:08:26 14 of the AVA system.

03:08:31 15 Q. In paragraph 140 you, again, talk about
03:08:35 16 obviousness, and that's on Page 146. You say that
03:08:38 17 "To the extent that Ampex argues that AVA cannot
03:08:41 18 meet the elements of certain claims, it would have
03:08:44 19 been obvious to combine AVA with a Quantel DLS
03:08:54 20 6030." Is that the same point that you were making
03:08:59 21 in Paragraph 135 that we just talked about or are
03:09:02 22 there additional combinations or claim elements that
03:09:08 23 are being met, in your opinion, under obvious
03:09:11 24 necessary?

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03:09:13 1 A. 135 is referring specifically to storing
03:09:40 2 full and reduced-size images in random access
03:10:29 3 memory. Again, you've got two systems together
03:10:33 4 which have overlapping characteristics. I've
03:10:43 5 already given you one example.

03:10:48 6 Another example would be, for example, if
03:10:51 7 it was decided that the size reducer had to be a
03:10:55 8 dedicated size reducer, not a general purpose
03:10:57 9 computer, then it would be obvious combining AVA and
03:11:03 10 the capabilities of the still store, it would be
03:11:08 11 obvious that you could have a -- use the dedicated
03:11:14 12 size reducer in the DLS and the AVA or the opposite
03:11:21 13 could also apply.

03:11:25 14 Q. Any other combinations that you are relying
03:11:28 15 on? Should I stop, by the way? Any other
03:11:43 16 combinations that you're relying on?

03:11:52 17 A. Not that I can think of sitting here.

03:11:56 18 Q. Starting at Page 141 you discuss the
03:12:00 19 Quantel 6030, and at Paragraph 144 you say, "The
03:12:10 20 competence of the DLS 6030 included a Winchester
03:12:14 21 disk, two output frame stores, a preview frame
03:12:17 22 store, a disk data buffer, a size reducer, a micro
03:12:22 23 computer, a preview monitor and one or two display
03:12:28 24 monitors."

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04:42:24 1 patent describe the same browse functionality that
04:42:27 2 you're referring to in Paragraph 165?

04:42:35 3 A. No. I think that's going back to the
04:42:40 4 ground we were covering before the break. I think
04:42:42 5 that's a step too far, to say that '776 completely
04:42:52 6 describes the same.

04:42:57 7 Q. 166 you're talking about storing a mosaic.
04:43:01 8 I take it you would agree, then, that the '776
04:43:04 9 patent does disclose that functionality?

04:43:06 10 A. Yes, I would.

04:43:12 11 Q. Finally, a control means in 167, the '776
04:43:18 12 patent discloses a CPU which would act as the
04:43:22 13 control means under your interpretation of this
04:43:24 14 element; is that right?

04:43:28 15 A. Yes, that's correct.

04:43:31 16 Q. In Paragraph 168 you talk about the
04:43:33 17 combination of the 6030 with the Paint Box. Is this
04:43:42 18 any different from your analysis in Paragraph 91
04:43:44 19 where you also were talking about such a
04:43:47 20 combination?

04:43:58 21 A. I think it's the same argument, yes.

04:44:02 22 Q. And likewise, in Paragraph 169, you talk
04:44:05 23 about combining the 6030 with AVA, and is that the
04:44:11 24 same combination that you were referring to in

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04:44:12 1 Paragraph 140?

04:44:22 2 A. Yes, it's the same one.

04:44:23 3 Q. On 170 you talk about the Paint Box user
04:44:26 4 guide, and you say it was released and distributed
04:44:30 5 publicly to Paint Box customers beginning in
04:44:33 6 January, '83. Which customers was it specifically
04:44:38 7 distributed to?

04:44:46 8 A. It would have been WFAA, NBC, and also the
04:44:59 9 salespeople used to use this type of literature as a
04:45:06 10 sales aid. So they would tend to give it out to
04:45:13 11 anybody they thought was a potential serious
04:45:15 12 customer.

04:45:17 13 Q. Do you have any record of such a
04:45:20 14 distribution? Are you aware of any record?

04:45:24 15 A. No. It was common practice then.

04:45:28 16 Q. So you're saying that the user manual was
04:45:32 17 given out to non-customers?

04:45:36 18 A. No. What I said was it was given out to
04:45:39 19 potential customers, and, you know, it's a standard
04:45:44 20 technique. You get somebody interested, they either
04:45:52 21 are about to have a demonstration or have had a
04:45:55 22 demonstration, and it's a very flexible machine, the
04:46:06 23 salespeople would tend to give out that document as
04:46:08 24 part of the sales literature to keep people excited

EXHIBIT 8.AB

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AMPEX CORPORATION,

Plaintiff,

v.

EASTMAN KODAK COMPANY,
ALTEK CORPORATION, and
CHINON INDUSTRIES, INC.,

Defendants.

C.A. No. 04-1373 (KAJ)

**DECLARATION OF DR. DIETER PREUSS IN SUPPORT OF
DEFENDANTS' ANSWERING BRIEFS TO AMPEX CORPORATION'S
MOTIONS FOR SUMMARY JUDGMENT**

1. I make this declaration in support of Defendants' Answering Briefs in Opposition to: (i) Ampex Corporation's Motion for Partial Summary Judgment that U.S. Patent No. 4,821,121 Is Not Anticipated; and (ii) Ampex Corporation's Motion for Partial Summary Judgment that U.S. Patent No. 4,821,121 Is Not Invalid For Obviousness.

2. I have been retained as an expert in this litigation by counsel for Defendants, Eastman Kodak Company ("Kodak") and Altek Corporation ("Altek").

3. I worked in the field of image processing for thirty-seven years, including as a professor researching image processing technology and a hardware development engineer.

14. In 1997, Linotype-Hell AG was purchased by Heidelberger Druckmaschinen AG ("Heidelberger"). From 1995 until my retirement in December 2005 I worked as a patent solicitor for Linotype-Hell AG and then Heidelberger. As a patent solicitor, I drafted and filed patent applications. The patents I worked with related to prepress technology. I am listed as the inventor on two United States patents.

15. In this litigation, I expect to testify regarding my opinion that the asserted claims of the '121 patent are, under Ampex's interpretation of the term "video", invalid as anticipated by two prior art systems that were sold in the United States prior to April 8, 1982: the Hell Chromacom and Scitex Response 300 systems.

16. I also expect to testify regarding my opinion that, under the claim construction for "video" proposed by the Defendants, the asserted claims are invalid as obvious in light of the Chromacom in combination with other references that teach the "video" limitation, including the Quantel Paint Box and the Quantel (Digital Still Store Library System) DLS systems.

17. To the extent that a claim construction is asserted or adopted under which the Chromacom does not meet each element of the asserted claims, I expect to testify that the asserted claims would still have been obvious in view of a combination of the Chromacom with the Quantel Paint Box as well as the Quantel DLS. It is my opinion that it would have been obvious for one of ordinary skill in the art to combine the Chromacom with either of these two references. My Initial Expert Report in this action, dated March 24, 2006, summarizes my opinions.

I declare under penalty of perjury under the laws of the United States of
America that the foregoing is true and correct.

Executed on June 13, 2006, in Mönkeberg, Germany

Dieter Preuss
Dieter Preuss

EXHIBIT 8.AC

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EXHIBIT 8.AD

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMPEX CORPORATION,

Plaintiff,

v.

C.A. No. 04-1373-KAJ

EASTMAN KODAK COMPANY,
ALTEK CORPORATION and CHINON
INDUSTRIES, INC.,

Defendants.

**PLAINTIFF AMPEX CORPORATION'S FIRST SET OF
INTERROGATORIES TO DEFENDANT EASTMAN KODAK COMPANY (NOS. 1-3)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Ampex Corporation ("Ampex") requests that Defendant Eastman Kodak Company ("Kodak") answer the following interrogatories separately and fully, in writing, under oath, by an officer or agent of Kodak and in the manner provided in Rule 33, Fed. R. Civ. P., within thirty (30) days after service in accordance with Ampex's Definitions and Instructions. Answers are to be signed and verified by the person making them and objections signed by the attorney making them.

If Kodak elects to avail itself of the procedure authorized by Rule 33(d), Fed. R. Civ. P., for answering interrogatories, Ampex requests, for each interrogatory so answered, that Kodak identify the particular documents in the manner set forth below in Ampex's Definitions and Instructions.

The obligation imposed by these interrogatories is continuing and, if after answering these interrogatories Kodak acquires any additional or corrective information called for by these

DEFINITIONS

Ampex hereby incorporates by reference the Definitions set forth in its First Set of Document Requests to Defendant Eastman Kodak Company.

INTERROGATORIES

INTERROGATORY NO. 1

If Kodak contends that any of the Kodak Devices do not infringe any claim of the Patent-In-Suit, explain in detail, for each element of each claim of the Patent-In-Suit, Kodak's reason(s) why each such Kodak Device does not infringe the Patent-In-Suit, either literally or under the doctrine of equivalents.

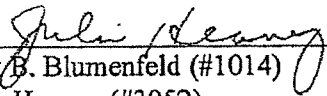
INTERROGATORY NO. 2

If the Patent-In-Suit were found to be not invalid and infringed by Kodak, set forth in detail the basis for damages to which Ampex would be entitled, including without limitation identification of (a) the reasonable royalty rate that Kodak contends should be used to compute damages for each Kodak Device, (b) the base to which that the royalty rate is to be applied and how such base was determined; (c) all documents that Kodak contends supports the use of said rate(s) and base(s); and, (d) all people having knowledge of any fact supporting Kodak's reasonable royalty contentions and analyses.

INTERROGATORY NO. 3

State the monthly sales of each of the Kodak Devices in the United States since January 1, 2001, by dollar value (United States dollars) and number of units.

MORRIS, NICHOLS, ARSHT & TUNNELL



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